

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

DAVID ANDREA JENKINS,)
)
Plaintiff,)
)
vs.) Case No. 9:14-cv-01679-TLW
)
DR. BENJAMIN THOMAS; and)
CORRECT CARE SOLUTIONS,)
)
Defendants.)

)

ORDER

Plaintiff David Andrea Jenkins, proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983, alleging violation of his constitutional rights by Correct Care Solutions and its employee, Dr. Benjamin Thomas. (Doc. #1). Defendant Thomas filed a motion for summary judgment on January 6, 2015. (Doc. #44). This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Bristow Marchant, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court grant Defendant Thomas’ motion for summary judgment. (Doc. #49). Because the evidence encompassing Defendant Thomas’ motion also applies to Defendant Correct Care Solutions, the Magistrate Judge recommends granting summary judgment in toto and dismissing this action. *Id.* Plaintiff’s objections to the Report were due by March 9, 2015. Plaintiff failed to file objections, and this matter is now ripe for disposition.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part,

the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

The Court has carefully reviewed the Report in accordance with this standard, and it concludes that the Magistrate Judge accurately summarizes the case and the applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #49). For the reasons articulated by the Magistrate Judge, Defendant Thomas' motion for summary judgment is **GRANTED**. (Doc. #44). The Court agrees with the Magistrate Judge that the evidence encompassing Defendant Thomas' motion also applies to Defendant Correct Care Solutions. Accordingly, the Court grants summary judgment in toto, and this action is **DISMISSED**.

IT IS SO ORDERED.

s/Terry L. Wooten _____

Terry L. Wooten
Chief United States District Judge

April 6, 2015
Columbia, South Carolina